

### **Remarks**

#### **Claim Rejections under 35 U.S.C. 103**

Claims 1-3 and 6-11 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Tsai (U.S. Pat. No. 5,642,446).

Examiner states that the optical switch disclosed by Tsai in figures 20-21, figure 17, col. 5 lines 50-60 and col. 18 lines 18-50 includes: a holder; a first stopper; a second stopper; a driver; at least one input collimator aligning with the input fibers and collimating the input light; at least one output collimator aligning with the output fibers and collimating the output light; and a switching element assembled with the holder and having an optical component displaceable between a first and a second positions and a rotating mechanism which rotationally moves the optical component between the first stopper (corresponding to the first position) and the second stopper (corresponding to the second position); whereby, when the switching element is in the first position, the optical component is in optical paths from the input collimators to the output collimators, and light beams from the input fibers transmit sequentially through the input collimators, the optical component, the output collimators, and then to the output fibers; and when the switching element is in the second position, the optical component is out of the optical paths, and light beams from the input fibers transmit through the input collimators, the output collimators, and to the output fibers without being bent or deflected by the optical component, to transmit to different output fibers.

Applicants advise that they have amended claim 1 in respect of minor spelling, punctuation and clarity matters only. No new matter is introduced, and the substance of the claimed subject matter remains unchanged. The rejection of claim 1 is equally applicable to the claim as now amended. In response to the

rejection, applicants now traverse as follows:

Claim 1 in pertinent part claims **a rotating mechanism which rotationally moves an optical component between a first stopper (corresponding to a first position) and a second stopper (corresponding to a second position).** Referring to FIGS. 5 and 6, in the first position, the optical component assembly 61 is in a downward position, stopped against the first stopper 86 (see FIG. 1). Referring to FIGS. 7 to 9, in the second position, the optical component assembly 61 is in an upward position with a lifting arm 621 abutting against the second stopper 85 (see FIG. 1). The first and second stoppers are at respective opposite ends of the path of movement of the optical component. They locate the optical component by directly preventing the optical component from moving too far. Tsai discloses an optical switch including a movable reflector assembly 520, comprising two reflectors 522 and 524 disposed on a reflector base 526 and a rotation stop 532. The rotation stop 532, which has two integral portions 560 and 562, is bounded by two stop walls 547 and 548. Referring to FIGS. 18 to 21 of Tsai, the integral portion 562 of the rotation stop 532 is forced against the stop wall 547 when the reflector assembly 520 is in its first position; and the integral portion 560 of the rotation stop 532 is forced against the stop wall 548 when the reflector assembly 520 is in its second position. Because of their mechanical engagement with the rotation stop 532, the reflectors 522 and 524 rotate along an arcuate path according to movement of the rotation stop 532. Moreover, rotation of the rotation stop 532 is limited by the stop walls 547 and 548. **Thus, Tsai's optical switch does not rotationally move the reflectors 522 and 524 between a first stopper and a second stopper.** Tsai's mechanism of positioning the optical component is completely different from that of the present invention. There is no suggestion or teaching in Tsai that its mechanism could be changed to that of the present invention.

In summary, a person of ordinary skill in the art could not have derived the optical switch of the present invention from a consideration of Tsai. Thus, claim 1 is submitted to be patentable, and withdrawal of the rejection and allowance of the claim are respectfully requested.

Claims 2 through 11 directly or indirectly depend from independent claim 1. Therefore, allowance of claims 2 through 11 is also respectfully requested.

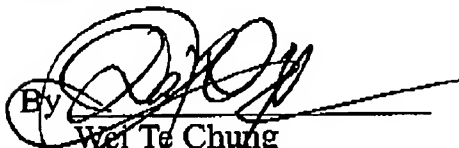
### **Allowable Subject Matter**

Applicants advise that they have amended claims 12, 13 and 21 in respect of minor punctuation, clarity and consistency matters only. No new matter is introduced, and the substance of the claimed subject matter remains unchanged. Therefore the allowance of claim 12, claim 13, claim 12's other dependent claims, and claim 21 should be maintained.

Applicants further advise that they have amended the specification and abstract to rectify grammatical and inconsistency errors therein and to more correctly express the invention and the exemplary embodiment. No new matter is introduced, and the substance of the disclosure remains unchanged.

In view of the above remarks, the subject application is believed to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,  
Chien Cheng Chen  
Kun-Tsan Wu

By   
Wei Te Chung

Registration No.: 43,325  
Foxconn International, Inc.  
P.O. Address: 1650 Memorex Drive, Santa Clara, CA 95050  
Tel. No.: (408) 919-6137